

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-----X
LAURA MIGLIORE, an Individual,
And ANTHONY MIGLIORE, an Individual,

Plaintiffs,

v.

THE TOWN OF SAUGUS, a Municipality,
GEOFF BRUNO, both as an Individual and
as Principal of Belmonte Middle School, and
RICHARD LANGLOIS, both as an
Individual and as Superintendent of School
Saugus, Massachusetts,

Defendants.
-----X

Docket No.:

NOTICE OF REMOVAL

TO THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS:

Defendants the Town of Saugus, Geoff Bruno and Richard Langlois (collectively
“Defendants”) respectfully submit that:

1. On March 26, 2013 Defendants were served with a Complaint and Jury Demand
(“Complaint”) in a matter entitled *Laura Migliore, an Individual, and Anthony Migliore, an
Individual, v. The Town of Saugus, a Municipality, Geoff Bruno, both as an Individual and as
Principal of Belmonte Middle School, and Richard Langlois, both as an Individual and as
Superintendent of School Saugus, Massachusetts*, Civil Action No. 13-00208, which was filed in
Massachusetts Superior Court, Essex County.

2. This Notice is being filed within 30 days of service of the Complaint on Defendants. The time for filing this Notice of Removal under 28 U.S.C. § 1446(b) has thus not expired.

3. The process, pleadings, and orders served upon Defendants to date in this matter, copies of which are attached hereto as Exhibit A, are as follows:

- a. Summons;
- b. Civil Action Cover Sheet.
- c. Scheduling Order For A Track dated February 7, 2013; and
- d. Complaint and Demand For Jury Trial.

4. No further proceedings have occurred in the state court action. Defendants have not served any answer or responsive pleading to the Complaint, nor made any argument before the Essex County Superior Court of the Commonwealth of Massachusetts.

3. This action is being removed to this Court on the grounds that original jurisdiction lies in this Court pursuant to 28 U.S.C. §1331. Specifically, the Complaint alleges a violation of the federal Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.* and Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*

4. Because the United States District Courts have original jurisdiction over civil actions arising under federal law, removal of this case to this Court under the circumstances herein is proper.

5. This Court has supplemental jurisdiction pursuant to 28 U.S.C. §1367(a) over the other claims alleged in the Complaint.

6. Accordingly, this action is removable to this Court under 28 U.S.C. §1441.

7. Defendants submit this Notice of Removal without waiving any defenses to the claims asserted by Plaintiffs or conceding Plaintiffs have pled claims upon which relief may be

granted.

8. Defendants will notify the Essex County Superior Court and Plaintiffs of this Notice of Removal by filing with that court a Notice of Filing Notice of Removal. A copy of that notification, which will be sent to the Essex County Superior Court, is attached hereto as Exhibit B.

Respectfully submitted,

THE TOWN OF SAUGUS, GEOFF BRUNO, and
RICHARD LANGLOIS

By their attorneys,

/s/ Stephen T. Paterniti

Stephen T. Paterniti, BBO No. 564860

paternis@jacksonlewis.com

Kevin M. Sibbernson, BBO No. 675654

Sibbernson@jacksonlewis.com

Jackson Lewis LLP

75 Park Plaza

Boston, MA 02116

(617) 367-0025

Dated: April 24, 2013

CERTIFICATE OF SERVICE

This certifies that on April 24, 2013, a copy of the foregoing document was served by hand upon Plaintiffs' attorney, Richard C. Chambers, Jr., Chambers Law Office, 220 Broadway, Suite 404, Lynnfield, MA 01940 by first-class mail, postage prepaid.

/s/ Stephen T. Paterniti

Jackson Lewis, LLP